

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DERRICK RANKINE,)
)
 Plaintiff,)
)
 v.) C.A. No. 04-100 E
)
 SUPERINTENDENT FOLINO, ET AL.,)
)
 Defendants.)

AFFIDAVIT OF DIANE THOMAS

COMMONWEALTH OF PENNSYLVANIA)
) SS:
 COUNTY OF GREENE)

Before me, personally appeared, Diane Thomas, who being duly sworn according to law, deposes and states that the following is true and correct to the best of her personal knowledge, information and belief:

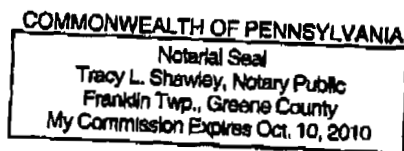
1. I am currently employed by the Commonwealth of Pennsylvania, Department of Corrections as Administrative Officer for the State Correctional Institution at Greene (SCIG).
2. As the Administrative Officer, I generally gather documents relating to legal actions from inmate institutional records and grievance records from SCIG.
3. I have gathered and reviewed the institutional and grievance records of Derrick Rankine and hereby certify that the attached are true and correct copies of the records maintained in the institutional file, grievance file and grievance history of Mr. Rankine.

4. These records are kept in the ordinary course of business. It is a regular practice of the institution to make the attached records.

Diane Thomas

Diane Thomas
Administrative Officer

SWORN TO and subscribed
before me this 12th day
of January, 2007.
Tracy L. Shawley
Notary Public



VERIFICATION

I, Cindy Watson, verify that the foregoing information is true and correct to the best of my personal knowledge or information and belief.

1. I am presently employed by the Commonwealth of Pennsylvania, Department of Corrections, as Grievance Review Officer. As part of my duties I am in charge of grievance records of appeals. The Secretary's Office of Inmate Grievances and Appeals conducts the final review of inmate grievances, in accord with Administrative Directive 804. This directive is part of the Inmate Handbook, which is provided to each inmate and serves as the rules and regulations of the institution.

2. A grievance must be appealed through all administrative levels of appeal at an inmate's institution and the Department of Corrections. DC-ADM 804 outlines the necessary steps. Once an inmate has complied with all of the procedural requirements and a grievance has received an Initial Review, an inmate can file an Appeal from Initial Review to the Superintendent. Once an inmate has received a disposition of an appeal from Initial Review, an inmate may appeal to the Secretary's Office of Inmate Grievances and Appeals and seek a Final Review.

3. The Department of Corrections maintains a hard copy file and a computer database of all appeals that are made to the Secretary's Office of Inmate Grievances and Appeals. I am the custodian of these records, which are kept in the ordinary course of business. The computer

system is a modified foxpro application data retrieval tracking system which contains grievance records dating back to the year 1995.

4. I have reviewed these records and found that Derrick Rankine, EU-5850, has not completed all of the necessary steps in the grievance procedure relative to his claims initiated by Civil Action No. 04-100 E. Specifically, Rankine did not file for final appeal properly concerning any pertinent grievance that he filed while at the State Correctional Institution at Greene during the time period of February of 2004 through September of 2004.

This statement and verification is made subject to the penalties of 18 Pa. C.S.A. section 4904 relating to sworn falsification to authorities, which provides that if I make knowingly false statements, I may be subjected to criminal penalties.

Cindy Watson
Cindy Watson

Date: January 12, 2007